

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: March 19, 1969

Appeal No. 9976 President & Directors of Georgetown College,
Appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of March 25, 1969.

EFFECTIVE DATE OF ORDER: March 25, 1969

ORDERED:

That the appeal for permission to occupy space in an SP office building for the Overseas Development Council (a non-profit organization) at 1717 Massachusetts Avenue, N.W., lot 850, Square 157, be GRANTED.

FINDINGS OF FACT:

1. The subject building is located in an SP Zoning District.
2. The Board, in Appeals No. 6870 and 6871, granted applicants permission to erect the subject Special Purpose office building to house nonprofit organizations. Subsequently, the Board approved the occupancy of the office building for numerous nonprofit organizations.
3. Applicants submitted the following evidence to establish that the subject organization is "nonprofit" within the meaning of the Zoning Regulations:
 - a. Letter from Mr. James P. Grant discussing the activities of the Overseas Development Council and the use of the space at 1717 Massachusetts Avenue, N.W.
 - b. Articles of Incorporation under the District of Columbia Nonprofit Corporation Act. The Articles were adopted September 18, 1968. The Articles of Incorporation indicate that the general purposes of the corporation are:

...to engage, consistent with the provisions of Section 501(c)(3) of the Internal Revenue Code and Regulations adopted thereunder, in educational, charitable, and scientific programs in the field of economic, social, and political development in the less developed areas of the world, and of means for facilitating such development.

The Articles also provide that the corporation shall not be for profit and that no part of its net earnings shall inure to the benefit of any individual.

- c. The letter from the Internal Revenue Service dated November 19, 1968, stating that the organization is exempt from Federal Income Tax pursuant to Section 501(c)(3) of the Internal Revenue Code.
4. Applicants also requested at public hearing that the Board include in its Order a provision permitting the Overseas Development Council to locate in any part of the building and to occupy whatever amount of space they require within the building.

OPINION:

This proposed Special-Purpose office will be in harmony with the existing uses in neighboring and adjoining property. It will not create dangerous or otherwise objectionable traffic conditions. Neighboring property will not be adversely affected since the proposed office uses will be located entirely within the subject office building and will not be visible from the outside. Applicants may locate in any part of the office building and may occupy whatever amount of space they require.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED

By:

GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.